



## **A CRITICAL APPRAISAL OF LAW RELATING TO HUMAN RIGHTS IN INDIA: WITH SPECIAL REFERENCE TO ENFORCEMENT SYSTEM: AN OVERVIEW**

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### **Abstract: -**

*In present scenario, there is no existence of Human Rights & its Law without remedies and the Enforcement system. Human rights are incomplete and worthless without remedies and the Enforcement system. Gravity of present condition, the deprivation and denial from the Life & Personal Liberty of human, grave and most serious violation of Human Rights Law in spite of the existence of the Enforcement system in India are being very common so in the light of all heretofore mentioned this research paper has been focused on the Human Rights Law & its Enforcement system in India which is useful & helpful for research scholars, students, Professors, teachers, institutions or organizations or establishments, commissions, governments, NGOs, trusts, Colleges, Universities, person (s) individually or group (s), society and other required persons pertaining to conduct research & do all the required things according to need of hour, requirements, time & circumstances.*

**Key Word:** Human Rights, Enforcement System, Natural Law etc.

### **Introduction:-**

The history of Law relating to Human Rights is as old as the development & civilization of human. Natural Law has born to the concept of human rights. The term 'Human Rights' first of all was used by Thomas Paine which is the English translation of 'Rights of Man' in Francis declaration and after that the word 'Human Rights' was used in UN Charter. The Law relating to Human Rights is essential and compulsory for the existence of human life therefore the Law relating to Human Rights has been incorporated under Part-III articles 12 to 35 which are justiciable and Part-IV articles 36 to 51 which is not justiciable before court of Law. It is necessary to mention here that the Rights are not completed without duties so fundamental duties have been incorporated Part-IVA Articles 51 A (a) to 51 A (k) of Constitution of India which are not also enforceable by the court under Constitution of India. Further in this connection, the Protection of Human Rights Act 1993 was enacted by Parliament of India which has been enforced on 28 September, 1993; this act provides the

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constitution of the National Human Rights Commission, State human Rights Commissions in States and Human Rights Courts for better protection of Human Rights and other required matters. It is pertained to mention here that the Human Rights Law is one of subjects of International Law hence first of all Universal Declaration of Human Rights 1948 was adopted by UNO on December 10, 1948 which known as the “Human Rights Day”. The Universal Declaration of Human Rights is the major foundation or source of Human Rights & its Law on International level so in furtherance of the same; the main two International covenants have been adopted by UNO as an extension of the above declaration namely – International covenant on Civil and Political Rights 1966, International covenant on Social, Economic and Cultural Rights 1966 and other international instruments & protocols also are available relating to human right.

There is also no meaning, justification and worth of the concept of human rights without the remedies, Enforceability or justiciability of the same in accordance with requirements, time, circumstances & Laws which can only be provided by the procedure of implementation and the implementation is possible or made by the Enforcement system so to enforce of the human rights, a required enforcement system is compulsory, essential and also mandatory for the delivery of fair & required justice. In *Golak Nath v. State of Punjab*, the Hon’ble Supreme Court has held that fundamental rights are natural and inalienable rights, and that they cannot be taken away by any Act of Legislature but the deprivation and denial from the Life & Personal Liberty of human, Violation and Protection of Law relating to Human Rights in spite of the existence of the Enforcement system in India is very common still broad day light so the conditions of human rights & its enforcement system is the worst in India also in the absence of the concept time bound delivery of justice in the matters but subjecting to all justified exceptions. In this respect many reasons/causes are behind the heretofore mentioned as:- social, economic, political, moral, spiritual, scientific, psychological, technical, cultural, traditional & custom and usage, lack of knowledge, awareness, literacy, accessibility to people, life style, living standard, culture, thoughts, mind, attitude, human abstract, reasoning, logics, curiosity atmosphere, misunderstanding, misinterpretation, misguidance, ill feelings, malafide, misadministration, bureaucracy, illegal unconstitutional autocracy, tyranny, practice of people of India & other connected things therewith. The important main provisions relating to enforcement of human rights under Constitution of India are as follows: under articles 32,226,227,136,137,139, the protection of Human rights Act 1993 & others respective also. Hence



in this regard, not only human rights but also all the rights are worthless or meaningless without the enforcement or enforcement system.

### **What are Human Rights: -**

In this respect, The Constitution of India is salient with respect to the definition of Fundamental rights as human rights.

In this relation, the definition of human rights has also not been found in the Universal Declaration of Human Rights 1948.

“Human Rights mean the rights relating to life, liberty, equality and dignity of the individual guaranteed by the Constitution of India or embodied in the International Covenants and enforceable by Courts in India.”<sup>2</sup>

### **The Enforcement System of Human Rights Law in India: -**

The whole concept of human rights is incomplete, meaningless and worthless without the Enforcement system. There is no existence of human rights & it's Law without the Enforceability & justiciability of the same. There is also no meaning, justification and worth of the conception of human rights without the remedies in accordance with requirements, time & circumstances. All these are possible only by the Enforcement system because the implementation of human rights can only be done by the required Enforcement system of human rights so it is proper to place over here that the Implementation is the process of putting a decision or plan into effect; execution.<sup>3</sup> Implementation is a procedure by which all the things are provided to all members of human family on the name of human rights or its law which are compulsory and essential for life, personal liberty & security of human & their property to ensure or make ensure existence or keep ensuring or keep making ensure existence of human life by a competent court or officer or authority which is having power to enforce or implement or make enforce or implement the law relating to human rights according to requirements, time & circumstances.<sup>4</sup> Now the prime & leading question before us that; what is the meaning of enforcement system which is as under:-

<sup>2</sup> Under section 2 (1) (d) of The Protection of Human Rights Act 1993

<sup>3</sup> <https://translate.google.com/#en/hi/Implementation>

<sup>4</sup> Ramesh Kumar, A Critical Appraisal of Implementation of Law Relating to Human Rights with Special Reference to Enforcement System in India, International Journal of Law (Peer Reviewed, Refereed &, Indexed Journal), (Impact



### What is Enforcement System:-

**Enforce:** - To give force or effect to (a Law, etc.); to compel obedience to.<sup>5</sup>

**Enforcement:** - The act or process of compelling compliance with a Law, mandate or command.<sup>6</sup>

**Enforce:** - to compel the observance of; to put in execution; to cause to take effect.<sup>7</sup>

**Enforce:** - to make people obey a law or rule or do something that they do not want to.<sup>8</sup>

**Enforcement:** - The act of compelling observance of or compliance with a law, rule, or obligation.<sup>9</sup>

**Enforce:** - compel observance of or compliance with (a law, rule, or obligation).<sup>10</sup>

**System:** - A set of ideas or rules for organizing something, A particular way of doing something<sup>11</sup>

**System:** - A group of things or parts that work together<sup>12</sup>

**System:** - a set of principles or procedures according to which something is done; an organized scheme or method.<sup>13</sup>

**System:** - a set of connected things or parts forming a complex whole, in particular.<sup>14</sup>

In the light of aforesaid, it can be said that Enforcement system means a compelling procedure with the compliance of Law, organizing something with a specific way or method for doing something on the bases of principles or processes.

To summarize it comes as under that the body or institution or officer or authority or agency or person or any other similar things which are having the power or authority to compel someone with a systematic way or method for doing something on the basis of Law; keeping in view of

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Factor: RJIF 5.12), UGC Approved Journal No. 48749, ISSN- 2455-2194, Vol. III Issue IV, July- August 2017, Page No. 90-91

<sup>5</sup> Bryan A. Garner: Black's Law Dictionary: West group St. Paul, Minn 1999: edition 7<sup>th</sup> Page No.549

<sup>6</sup> Bryan A. Garner: Black's Law Dictionary: West group St. Paul, Minn 1999: edition 7<sup>th</sup> Page No.549

<sup>7</sup> Legal Glossary: Law, Justice and Company Function Ministry, Legislative Department, Rajbhasha Khand, Government of India Edition 2001: page No.116

<sup>8</sup> Dr.Suresh Kumar & Dr.Ramnath Sahai: Oxford English – English-Hindi Dictionary: Oxford University Press: Fourteen Impression: July 2010: page no. 392

<sup>9</sup> <https://translate.google.com/#auto/en/enforcement>

<sup>10</sup> <https://translate.google.com/#auto/en/enforce>

<sup>11</sup> Dr.Suresh Kumar & Dr.Ramnath Sahai: Oxford English – English-Hindi Dictionary: Oxford University Press: Fourteen Impression: July 2010: page no. 1212

<sup>12</sup> Dr.Suresh Kumar & Dr.Ramnath Sahai: Oxford English – English-Hindi Dictionary: Oxford University Press: Fourteen Impression: July 2010: page no. 1212

<sup>13</sup> <https://translate.google.com/#auto/en/system>

<sup>14</sup> <https://translate.google.com/#auto/en/system>



consequences of the same that is the Enforcement system. The Enforcement system includes courts, tribunals, commissions and other required systems.

With regard to the aforesaid concisely & overall it can be said that “Enforcement system means a compelling procedure with the compliance of Law, organizing something with a specific way or method for doing something on the basis of principles or processes. The body or institution or officer or authority or agency or person or any other similar things which are having the power or authority to compel someone with a systematic way or method for doing something on the basis of Law; keeping in view of consequences of the same that is the Enforcement system. The Enforcement system includes courts, tribunals, commissions and other required systems.”<sup>15</sup>

### **The Enforcement System of Human Rights Law under Constitution of India:-**

1. Supreme Court of India (Constituted under Article 124 constitution of India)
2. High Courts for States (Constituted under Article 214 constitution of India)

### **The Enforcement System of Human Rights Law in India under the Protection of Human Rights**

**Act 1993:-** This act provides the constitution of the National human Rights Commission, State human Rights Commissions in States and Human Rights Courts for better protection of Human Rights and other required & connected matters.<sup>16</sup>

1. The National Human Rights Commission (Constituted under Section 03 of The protection of Human Rights Act 1993)
2. State Human Rights Commissions (Constituted under Section 21 of The protection of Human Rights Act 1993)
3. Human Rights Courts ((Constituted under Section 30 of The protection of Human Rights Act 1993).

<sup>15</sup>Ramesh Kumar, A Critical Appraisal Of Law Relating to Human Rights in India with Special Reference to Enforcement System, Legal Research Development (An International Referred e- Journal), Gwalior, Madhya Pradesh, India, Vol. I Issue III March 2017 Page No.64.

<sup>16</sup>Ramesh Kumar: A Critical Appraisal of the Protection of Human Rights Act 1993 with Special Reference to Enforcement System of Human Rights & its Law : JMSG (An International Multidisciplinary e- Journal): (Impact Factor: 4.032 ): ISSN- 2454-8367: Vol. II Issue I July 2016 Page No. 664-678.





### **Equal justice and Free Legal Aid in India: -**

Human Rights & its Enforcement system are for all under some exceptions. It must be accessed to all without any discrimination so the persons who belong to weaker section of society shall not be denied for justice by reason of economic and other disabilities. Keeping in view of the aforesaid Article 39A of Constitution of India has been incorporated for Equal justice and Free Legal Aid as a duty of State but which is not enforceable or justiciable. It is also a fundamental right as human right under Article 21 of Constitution of India which has been held by Supreme Court of India in the case of M.M. Haskot v. State of Maharashtra AIR 1978 SC 1548. It is enforceable or justiciable before Court of Law. In this regard, the Legal Services Authority Act 1987 has been enacted by Parliament of India An Act to constitute legal services authorities to provide free and competent legal services to the weaker sections of the society to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities, and to organize Lok Adalats to secure that the operation of the legal system promotes justice on the ground of equal opportunity.

### **The Role of Judiciary in India: -**

The role of Indian Judiciary has played & is playing a key role in “sovereign, socialist, secular and democratic republic India”<sup>17</sup> For the protection, development and preservation of Human rights Law which has gone down the history. The Indian Judiciary is one of the foundations pillars of Indian democracy which is independent & unified in India. The role of Indian Judiciary The Indian Judiciary namely the union Judiciary that is Supreme Court of India as an apex Court of India has been placed under Chapter –IV articles 124 to 147, The High Courts in the States Chapter –V articles 214 to 232 and subordinate Courts Chapter –VI articles 233 to 237. It is relevant to contain over here that “All India Services” (1)Notwithstanding anything in Chapter VI of Part VI or Part XI, if the Council of States has declared by resolution supported by not less than two thirds of the members present and voting that it is necessary or expedient in the national interest so to do, Parliament may by law provide for the creation of one or more all India services (including an all India judicial service) common to the Union and the States, and, subject to the other provisions of this Chapter, regulate the recruitment, and the conditions of service of persons appointed, to any such service (2) The services

<sup>17</sup> The preamble of Constitution of India



known at the commencement of this Constitution as the Indian Administrative Service and the Indian Police Service shall be deemed to be services created by Parliament under this article (3) The all India judicial service referred to in clause (1) shall not include any post inferior to that of a district judge as defined in article 236 (4) The law providing for the creation of the all India judicial service aforesaid may contain such provisions for the amendment of Chapter VI of Part VI as may be necessary for giving effect to the provisions of that law and no such law shall be deemed to be an amendment of this Constitution for the purposes of article 368” but An All India Judicial Service has not been constituted from the date of enforcement of Constitution of India to so far.

In this connection, it is pertained to mention over here that ‘Supreme Court’, ‘Supremacy of Constitution of India’, ‘Judicial review’, ‘Independent Judiciary’. The same mentioned heretofore in this para have been taken from the American Constitution in Constitution of India. The some important provisions in respect of enforcement of fundamental Supreme Court of India can issue writs, directions, orders under Article 32 in relation to enforcement of the rights which have been covered under Part – III and High Court of respective state can also do the same under Article 226 of Constitution of India. The Judiciary protects & preserves the fundamental rights or human rights by means of writs or directions or orders, judicial review, judicial activism, public interest litigation (PIL) & curative petition (Propounded In the case of Rupa Ashok Hurra v. Ashok Hurra<sup>18</sup> to enforce the fundamental rights or human rights, the person can take the protection of the hon’ble Supreme Court of India or High court concerned directly.

Many cases have been delivered by the Hon’ble Supreme Court of India and also High Courts respective in this regard but some important cases are being mentioned here as under: “It is pertained to mention over here that Indian Judiciary is playing a key role for the protection, promotion & preservation of human rights law which can be seen with the help of following things:- the provisions of Constitution of India which was declared invalid & unconstitutional by hon’ble Supreme court of India as under:-Article 31C in the case of Keshvanand Bharti v. State of Kerala<sup>19</sup>, Article 329 in the case of Indra Nehru Gandhi v. Raj Narain<sup>20</sup>, Article 368 (4) and (5) in the case of Minerva Mills Limited v. Union of India<sup>21</sup> and Schedule 10 para 07 in the case of Kihoto Hollohon v. Zachilhu &

<sup>18</sup> AIR 2002 SC1771.

<sup>19</sup> AIR 1973 SC 1461.

<sup>20</sup> AIR 1975 SC 2299.

<sup>21</sup> AIR 1980 SC 1789.



others<sup>22</sup>,<sup>23</sup> Supreme Court on Record Association and others v. Union of India<sup>24</sup> on 16 October, 2015 the Nineteenth 99<sup>th</sup> Constitution Amendment Act 2014 in respect of National Judicial Appointment Commission has been declared unconstitutional and void by Hon'ble Supreme Court of India. Menka Gandhi v. Union of India<sup>25</sup>: - Hon'ble Supreme Court of India said that the origin of Human rights is freedom movement. The major purpose to place Human Rights in Constitution of India has to develop the Banyan tree of freedom in India. Neelbati Behra v. State of Orisa<sup>26</sup>: - in this case Article 5 (9) of International covenants on Civil and Political Rights 1966 with under Article 21 Constitution of India has been applied. Rupa Ashok Hurra v. Ashok Hurra<sup>27</sup> it is the leading & landmark Judgment delivered by the Constitutional Bench of Hon'ble five Justices of Supreme Court, in this case laid down the Rule of Curative Petition; the Supreme Court of India has power in respect of Curative Petition. D.K. Basu v. State of West Bengal<sup>28</sup> in this case was held in respect of protection from police atrocities, custodial death and others related things. The mentioned under Part-III, IV & IV A can be amended by the Parliament of India but the Basic Structure of the Constitution of India cannot be destructed. The concept of 'Basic Structure' and the terms Basic Structure' have been laid down & used respectively in the case of Keshva Nand Bharti. The contents of the recognized 'Basic Structure' of the Constitution of India are as under<sup>29</sup>: - Rule of Law, Right to Equality, Principle of Power separation, Supremacy of Constitution, Federalism, Secularism, Sovereignty, democratic, republic structure, Parliamentary Government, The power of hon'ble Supreme Court articles 32, 136, 141 & 142, Fundamental rights in certain cases. The limited power of Parliament to amend constitution of India, Judicial review<sup>30</sup>; the major obstacles & difficulties on the way to the role of Indian judiciary are as: - large pendency of cases, shortage of judges or vacated posts or judges or justices and other similar also in the courts respective.<sup>31</sup>

<sup>22</sup> (1992) 1 SCC 309

<sup>23</sup> Ramesh Kumar, A Critical Appraisal of Human Rights Law with Special Reference to Constitution of India, Legal Research Development (An International Referred e- Journal) ISSN- 2456-3870 Vol. I Issue II Dec. 2016 Page No. 58-59

<sup>24</sup> AIR 2015 SCW 5457 JLT (2015) SCJ 0 4 Nov.

<sup>25</sup> AIR 1967 SC1643

<sup>26</sup> AIR 1993 SC1960

<sup>27</sup> AIR 2002 SC1771

<sup>28</sup> AIR 1997 SC 610

<sup>29</sup> Dr. Jay Narayan Pandey: Constitution Of India: Central Law Agency: 47th Edition 2014 Page no. 769

<sup>30</sup> L. Chandra Kumar v. Union of india AIR 1988 SC 1125

<sup>31</sup> Ramesh Kumar: The Role of Indian Judiciary with respect to Human Rights Law in India: JMSG (An International Multidisciplinary e- Journal): (IMPACT FACTOR: 4.032): Vol. II Issue III Jan. 2017 Page No.01-09





### Conclusion:–

In a nut shell, Human Rights are the universal, inalienable, indispensable, Natural, basic or fundamental rights of individuals who are mandatory, essential and compulsory for the existence of human. The accessibility of Law Relating to Human Rights must be for all beyond all kinds of discriminations and biases. Human rights are inherent in all human beings. These rights all interrelated, interdependent and indivisible. Human Rights Law has been placed under the supreme law that is Constitution of India in our country. Romesh Thapar v. State of Madras<sup>32</sup> held that Supreme Court is the protector and watchful sentinel of Human Rights and its Law under Article – 32 and can issue Writs, directions and orders. The High Courts also are having power to the same above said under Article – 226 of Constitution of India for the protection and preservation of Human Rights and its Law. The Special Leave Petition can be filed under Article 136 of Constitution of India before only the Apex court of India. Rupa Ashok Hurra v. Ashok Hurra<sup>33</sup> it is the leading & landmark Judgment delivered by the Constitutional Bench of Hon'ble five Justices of Supreme Court, in this case propounded the Rule of Curative Petition; the Supreme Court of India has power in respect of Curative Petition. The District & Session Court, Tribunals, other courts, Human Rights Commissions also are functioning in India for the protection and preservation of Human Rights & its law with the heretofore mentioned provisions relating to Human Rights Court have been mentioned under section 32 of The Protection of Human Rights Act 1993. Recently India has been elected in second time as a member of United Nations Human Rights Council (UNHRC) .India got 162 votes, with India 15 countries for three years have been elected which is worth appreciating and welcoming for our Country. Indian Judiciary has played & is playing a key role for promotion, education, research, literacy, respect, protection and preservation of Human Rights Law in the interest and welfare of people and living creatures by means of Judicial Review, Judicial Activism, public interest Litigation, Writs, directions, orders and etc. which are worth remarkable, the most significant & has gone down history and along with it delivered many leading, landmark judgments. Various ambiguities have been found in respect of The National Human commission and State Human Commissions because Whether the establishments/constitutions of said commissions are mandatory or not ?\_In this connection, India has twenty nine States and seven

<sup>32</sup> AIR 1950 SC 124

<sup>33</sup> AIR 2002 SC1771



union territories but total twenty four Human Rights Commissions have been constituted so far in which Meghalaya State has constituted the State Human Rights Commission but Chairperson/Members has not been appointed so far. The renaming states have not constituted the State Human Rights Commissions in their States. The list of States where the State Human Rights Commissions have been set up: - 1.Andra Pradesh 2.Assam 3.Bihar 4.Chhattisgarh 5.Gujrat 6.Himachal Pradesh 7.Jammu & Kashmir 8. Jharkhand 9.Karnataka 10.Kerala 11.Madhya Pradesh 12.Maharashtra 13.Manipur 14.Orissa 15.Punjab 16.Rajasthan 17.Tamil Nadu 18.Sikkim 19.Uttar Pradesh 20.West Bengal 21.Goa 22.Uttarakhand 23.Haryana 24.Tripura, On perusal of the heretofore mentioned facts, we come to the finding with respect to the condition of Human Rights & its Law are miserable, extremely misery, worth considering, reviewing, revising and most required for due deliberations. In case of the role of The National Human rights commission & Human rights commissions have no power of penalty, have no separate independent agency for inquiry and investigation for the same are dependent on Government agencies in spite of all above said have played and are playing important role in case of Police custody, atrocities, exploitation, torture, fake encounters, death and others which is worth praising but are required to more empowered subject to law while amending the Protection of Human Rights Act 1993. Human Rights Courts under the said act must be constituted separately. Here it is worth describing that Constitution of India has been enforced with some provisions on 26 November, 1949 which is known as the 'Day of Law' or 'Constitution Day' and whole has been enforced on 26 January, 1950 which is known as the 'Republic Day' but since then 'All India Judicial Service' has not been constituted so far, Now is the controversial issue, magnum largest issue in respect of our system and Government of India is in question? Why is it so? Human Rights Law in historical perspective, the history of Human Rights & its Law originally is as old as the development & civilization of Human & their humanity which have developed bit by bit but due to some selfish, self-seeking ill feelings, grudges, thinking, thoughts abstracts and feelings have produced and got produced as a result fights, conflicts, wars have been waged that is the destruction of human being and Humanity have been done and got done in consequence of it the First & Second world wars, war between India- Pakistan and India-China etc. namely Human and their humanity destructed on the widest level. The conditions of Human Rights & its Law were used to good in Ancient India, up to a specific limit, with spiritualism. The people mostly effected by the Ramayan, Mahabharat, Geeta & etc. but from the existence of crimes



& violation of Human Rights can not denied. The Ancient India also was not free from the exceptions and criticisms. In medieval and modern India the condition of Human Rights & its Law was very misery, anxious as Dark Age. The destruction of Human and their humanity were on extreme; make & be slave under compulsion, slavery, inhuman, degrading treatment castes & religious issues, atrocities, exploitation Fiercely, flagrantly were in existence and people were highly or highest suffered and murdered. Now in present scenario, the condition of Human Rights Law are not good so far, in spite of existence of the respective & protective enforcement system, still Human Rights Law is being violated, contravened, and infringed grossly, grievously rashly, heinously, brutally, cold blooded murders openly, broad day light on the vast or widest level. Every section of people are suffering from the enforcement system, crime, corruption, degrading, inhuman treatment castes & religious issues, atrocities, exploitations and the act against human & their humanity which is the most required to reform, prevent and do all the required things for the protection, development and preservation of human rights. In this regard, Human Rights & its Law are mandatory for the existence of human life in the interest and welfare of world human & living creatures. The accessibility of Human Rights & its Law must be for all without any discrimination and partiality. In this connection, Human Rights Law is available in whole India and also in worldwide for all but despite of the availability of the enforcement system, Human Rights & its Law is not being able to implement. The Fair, reasonable, satisfactory and other required things, as justice, beyond all the reasonable partialities, is not being able to deliver to the persons concerned. Now a days the condition of Enforcement system & its Law are very misery and the worst in India besides availability of the aforesaid systems. Why is it so? What are the reasons or causes liable for the same, keeping in the specific view of the aforesaid things; this topic has been taken subjecting to requirements, time and circumstances.

### Suggestions: –

The Suggestions in relation to promotion, education, research, literacy, respect, honour, Enforcement, implementation, protection, preservation, development and other required facts or things according to requirements, time and circumstances of Human Rights & its Law in the interest & welfare of world human and living creatures which are as under:-



1. Education is the procedure which is having the highest goal of knowledge hence the systems, machineries & mechanisms of education must be reformed & which is also required to alter, amend and vary at the earliest & first of all as primary, middle, higher, doctoral, post-doctoral and others. The Human rights education should be included in the syllabus of our required education system.
2. Human Rights Literacy should be Spread among all sections of people in society and promote awareness of the safeguards available for the protection & preservation of these rights through publications the media and other available means. The accessibility of knowledge, literacy with minimum good standard atmosphere must be reached to all people.
3. Study centers for education and research of Human rights & its laws must be established, reformed, and promoted separately.
4. The Shortage of judges or vacated or vacant post of judges or judicial officers with regard to Indian judiciary must be filled as a result large pendency of cases must be decreased and ended which is one of major obstacles in path of justice in judicial process in proportion of the population of India.
5. Indian Judicial service (IJS) must be established /constituted in the interest and welfare of people which has not been constituted so far from the date of the enforcement of Constitution of India.
6. Our judicial system is required to amend reform, alter and vary in accordance with time and circumstances which is also need of hour.
7. The State Human Rights Commissions have not been established in the States should be established as early as possible.
8. The National Human Rights Commission & the State Human Rights Commissions should be more empowered.
9. Human Rights Courts must be established separately at the earliest.
10. The protection of Human Rights Act 1993 must be amended, implemented and reformed from time to time.
11. Vacated or vacant posts in Human Rights Commissions must be filled.



12. The accessibility of Human Rights & its Law with Human Rights Commissions should be for all and to each person without any discrimination. The required steps should be taken for the same for the welfare of people.
13. The procedure in respect of filing complaints to Human Rights Commissions are required to reform and amend suitably & effectively and must be the easiest in accordance with the facility/convenience of people but subject to Law and preventive abuse of process and also ensuring the ends of justice.
14. The question in respect of large pendency in the Courts must be solved which is one of major obstacles in the path of law, justice and Enforcement system.
15. Speedy justice must be delivered without having violations of Human Rights and its Law with regard to aforesaid slept Governments must be wake up now with vigilance mandatorily because sovereignty is found in people for welfare of people.
16. No person should be deprived from his life & personal liberty and precious time of Human life by the Enforcement system, procedures, people, governments and laws while abusing the laws with malafide.
17. The Code of Criminal Procedure 1973 & The Code of Civil Procedure 1908 and other procedures should be amended and reformed and time bound delivery of justice must be ensured in the interest & welfare of people with immediate effect. Now the same is need of hour.
18. The special attention should be paid, in respect of the training of Advocates and Advocate training centers must be established, reformed, advanced, protected, preserved and promoted with the most effective way at the earliest; The Bar Council of India & The State Bar Councils must be taken the strongest reformatory steps with relation to above for interest & welfare of Advocates and people.
19. Human Rights Law Officers must be engaged, appointed, employed & recruited by the National Human Rights Commission and The State Human Rights Commissions for inquiry, investigation or for other works with respect to it, awareness, literacy, promotion, protection, preservation and other matters connected of Human Rights & its Law.
20. Abuse (s) of systems, procedures, laws and other connected things should be prevented strictly under Rule of Law and subjecting to the Principle of Natural Justice.





21. The National Human Rights Commission and the State Human Rights Commissions must be empowered for punishment, penal sentence in only petty cases.
22. Further more Human Rights Law Officers must be posted in Jails, Police Stations, other such institutions and establishments for promotion, education, research, literacy, protection and preservation of Human Rights & its Law.
23. Media should be more effectively co-operative with co-ordination of people collectively to assist of all section of people without having any kind of discriminations with veracity, truthiness for Protection and preservation of Human Rights & its Law.
24. Direct Recruitment for the post of Independent Human Rights Law Officer as Specialist must be started in India under Central Government with the establishment of Institution for Human Rights & it Law. Further more Human Rights Law Officers must be posted in Jails, Police Stations, other such institutions or organizations or establishments for promotion, education, research, literacy, protection and preservation of Human Rights & its Law.
25. Human Rights & its Law must be included in the syllabus as compulsory subject of Schools, Colleges, Universities and in other required institutions or organizations or establishments and Human Rights & its Law must be taught or imparted education, knowledge and literacy as well as above also to Employees, workers and all persons from time to time. The same is the most required at the highest level.
26. The reposed confidence or believe of people or masses is highly required to protect, preserve and save at the earliest with relation to human rights Law, implementation, justice and its enforcement system.
27. Morality must be protected, preserved, saved, enhanced and included also in our education or academic system.
28. We must collectively & constantly strive to protect, preserve, promote, develop, respect, educate, impart knowledge and honour for human rights & its Law for welfare of people & living creatures being member of human family for all beyond all kinds of biases and
29. All the required or needful works/things should be done for the protection, development, preservation, research and education and etc related of the Law relating to Human Rights & its Enforcement system in India at the earliest, in the light of the essence of need of hour, time, circumstances and as effectively as possible in welfare of people and living creatures.



To sum up Law is the means or instrument of social change hence we want to get the highest goal of justice with help of Law with collective efforts, co-ordination, equity, good faith, good conscious, justice and co-operation with humanity, morality and other required things of society, governments, agencies, institutions, establishments and us; the aforesaid remedies and suggestions are not exhaustive; all are subject to change, amend, alter, substitute & vary in accordance with requirements, time & circumstances for the interest & welfare of world human and living creatures.<sup>34</sup>

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<sup>34</sup> Ramesh Kumar, A Critical Appraisal of the Protection of Human Rights Act 1993 with Special Reference to Enforcement System of Human Rights & its Law, JMSG (An International Multidisciplinary e- Journal), Gwalior, Madhya Pradesh, India, ISSN- 2454-8367: Vol. II Issue I July 2016 Page No. 664-678 and also Ramesh Kumar, A Critical Appraisal Of Law Relating to Human Rights in India with Special Reference to Enforcement System, Legal Research Development (An International Referred e- Journal), Gwalior, Madhya Pradesh, India, Vol. I Issue III March 2017 Page No. 67-72